

FINAL BILL REPORT

2SHB 3115

PARTIAL VETO

C 353 L 06

Synopsis as Enacted

Brief Description: Establishing a foster parent critical support and retention program.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Darneille, Talcott, Morrell, Green, McDonald, Ormsby, Simpson and Roberts).

House Committee on Children & Family Services

House Committee on Appropriations

Senate Committee on Human Services & Corrections

Senate Committee on Ways & Means

Background:

Foster Parent Recruitment, Training, and Support

Washington's child welfare system includes a program for foster parent pre-service training as well as a program for recruitment of foster parents. The Department of Social and Health Services (DSHS) is responsible for recruiting an adequate number of prospective foster and adoptive homes, including both regular and specialized homes. In 1990, the Legislature directed the DSHS to develop and implement a project to recruit more foster homes and adoptive homes for special needs children. Within each of the state's six regions, the DSHS must contract with one or more licensed foster care or adoption agencies to enhance the efforts of the DSHS.

In addition to efforts by the DSHS, various other entities strive to provide support for foster parents. Support efforts include foster parent crisis support hotlines, low-cost or no-cost training opportunities and workshops, monthly newsletters, and local foster parent support groups.

Child Abuse and Neglect Referrals

The DSHS Children's Administration Child Protective Services (CPS) is the central point of intake for reports of alleged child abuse and neglect. Referrals alleging child abuse and neglect are screened for investigation and assigned a risk tag based on available information. High risk referrals require a response within 24 hours. Moderate risk referrals are investigated within 10 days. Low risk referrals may be investigated or may be referred to a local provider who attempts to engage the family in voluntary services. Some referrals may be designated information only or may be screened out by CPS entirely if: (1) the child cannot be located; (2) the alleged perpetrator is not the parent/caregiver of the child; (3) the allegation does not meet the legal definition of abuse/neglect; or (4) there are no risk factors that place the child in danger of serious and immediate harm. The DSHS must maintain a log of screened out non-abusive cases.

Those referrals alleging child abuse or neglect which are screened in for investigation by CPS are designated in the case file after investigation as either unfounded, founded, or inconclusive. State law defines an unfounded referral as an allegation for which available information indicates that, more likely than not, child abuse or neglect did not occur. The designations of founded and inconclusive are defined in rules adopted by the DSHS, but not in statute. A founded allegation is a determination following an investigation by CPS that, based on available information, it is more likely than not that child abuse or neglect did occur. An inconclusive designation is a determination following an investigation by CPS that, based on available information, a decision cannot be made that more likely than not child abuse or neglect did or did not occur.

Unfounded referrals must be purged from the CPS records system at the end of six years after receipt of the referral unless an additional referral has been received in the intervening six years. The state-approved records retention policy for the DSHS allows for other records to be destroyed after seven years. The DSHS reports that records of founded allegations of abuse and neglect are maintained indefinitely.

Summary:

Foster Parent Critical Support and Retention Program

The Division of Children and Family Services (Division) within the DSHS is directed to establish a critical support and retention program for foster parents who care for children who act out sexually, are physically assaultive, or who have other high-risk behaviors. The program will be implemented under the Division's contract and supervision area. Contractors must demonstrate experience providing in-home case management to foster homes licensed through the Division.

The program must include:

- (1) 24-hour emergency assistance seven days a week;
- (2) assessment of risk and development of a safety and supervision plan;
- (3) home-based foster parent training utilizing evidence-based models; and
- (4) referral to community services.

Sharing of Information with Foster Parents

The sharing of the following information with foster parents is expressly required: (1) whether the child is sexually reactive; and (2) any guidelines or recommendations established by the Department of Health regarding testing for and disclosure of information related to blood-borne pathogens.

Child Abuse and Neglect Referrals

The DSHS must report to the Legislature by December 1, 2006, regarding recommendations for improving practices relating to the in-take, screening, investigation, and management of records of child abuse and neglect allegations. The report must address:

- (1) definitions of terms relating to referrals, screening, and investigation of allegations;
- (2) processes for in-take and screening of allegations;

- (3) processes for management and disclosure of information, including retention and destruction of records;
- (4) responses to allegations against foster parents; and
- (5) due process rights for persons found to have abused or neglected a child.

Votes on Final Passage:

House 98 0
Senate 45 0 (Senate amended)

House Refused to Concur
Senate (Senate receded)
Senate 45 0 (Senate amended)
House 98 0 (House concurred)

Effective: June 7, 2006

Partial Veto Summary: Removes the requirement for ongoing support groups as a component of the Foster Parent Critical Support and Retention Program.

Adds a requirement for a report from DSHS to the Legislature by December 1, 2006, regarding recommendations for improving practices relating to referrals, investigations, and records of child abuse and neglect allegations.

Expressly requires the sharing of information with foster parents about: (1) whether the child is sexually reactive; and (2) any guidelines or recommendations established by the Department of Health regarding testing for and disclosure of information related to blood-borne pathogens.